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# RIGHT-OF-WAY OPERATIONS PROGRAM

MONTANA HIGHWAY  
DEPARTMENT

REPORT PREPARED BY  
EBASCO SERVICES, INC.  
NEW YORK - SAN FRANCISCO - PORTLAND

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# EBASCO SERVICES

INCORPORATED

ENGINEERS - CONSTRUCTORS - BUSINESS CONSULTANTS

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NEW YORK 6, N.Y.

CABLE ADDRESS: "EBASCOE"

January 18, 1960

*Please address reply to*  
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SAN FRANCISCO 4, CALIF.

Mr. Fred Quinnell, Jr.  
State Highway Engineer  
State Highway Department  
State Capitol  
Helena, Montana

Dear Mr. Quinnell:

Attached is the Right of Way Operations Program that has been prepared in accordance with your authorization.

My associate, Mr. Harvey A. Sartorius, joins me in expressing appreciation for the opportunity to render this service to you and the Department. Ebasco is proud to be associated with the improvement actions to date. We are quick to acknowledge that the improvements were accomplished by the Commission and Department personnel who worked with the consultants.

The conversion of worthwhile ideas into action takes time. Only if the improvements receive continued consideration and modification, will the expected results be proven by improved organization and results.

We wish you good fortune in the full application of this program and trust that it will result in a more efficient and effective Right of Way Division and Department.

Very sincerely yours



George J. Neumayer

Industrial Relations Consultant

GJN:mk



RIGHT - OF - WAY OPERATIONS PROGRAM  
of the  
MONTANA HIGHWAY DEPARTMENT  
Helena, Montana

Report Prepared by  
EBASCO SERVICES INCORPORATED  
New York - San Francisco - Portland



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## I

## INTRODUCTION

The Federal Inter-State Highway Program has made it necessary for State Highway Departments to convert their operations from a small and conservative business into a large and progressive enterprise. The need to make this change-over quickly presented new and nearly insurmountable obstacles. Additional people and new and better equipment were introduced, all for the purpose of increasing the output of the Department.

Many types of problems generally arise when volume and tempo are increased quickly. It is not possible to expect that simply by increasing the size of an organization that the output will increase proportionately. The new elements of balance, distribution, coordination and control take on a new importance that was not previously essential.

This Operations Program was instituted with the aid of outside assistance because of the belief that the nature of the difficulties was new and different. Historical experience with historical problems was not thought to be adequate. New approaches and analytical procedures with freedom from history and people and with an independent, detached attitude were desired.



The project was directed toward Right-of-Way work because it seemed that this was the area requiring attention first. As time went on, it became increasingly clear that many of the shortcomings in Right-of-Way operations were caused by organizational and administrative deficiencies. For that reason, work on additional areas was required in order that the program would be as effective as originally intended.



## II

## SCOPE OF PROGRAM ^

Based on the preliminary needs of the Department Right-of-Way operations analysis, it was agreed, and it so states in the contract, that the services to be performed by EBASCO are as follows:

- 1) Preparing an inventory of Right-of-Way organization, procedures and operating results in order to determine the various methods currently in use in the headquarters office and in field operations.
- 2) Reviewing portions of related functions that have a bearing upon the success of Right-of-Way operations.
- 3) Making detailed analyses to determine malfunctions, shortages, and overlaps and identifying areas in which operations inadequacies exist.
- 4) Preparing a proposed organization structure and associated operating procedures which are aimed at expediting Right-of-Way processes and at providing simplicity, efficiency and economy of the section.



- 5) Reviewing the status of Right-of-Way operations and the proposed plans with designated managers and groups in order to develop understanding and to obtain approval and support for the program to be instituted.
- 6) Working with key managers on establishing pilot operations where required.
- 7) Implementing the program of Right-of-Way organization and operations throughout the State.
- 8) Preparing and conducting required training sessions that result in a thorough understanding of the programmed utilization of associated manpower.
- 9) Preparing a summary report of recommendations and their status at that time.
- 10) Making periodic reviews of field operations to insure the successful installation of the approved plan.





As our analysis progressed, it was found that a strict adherence to the areas listed might result in the preparation of a report and the development of recommendations that would not touch upon many associated problems which were later found to require attention and analysis. The program, therefore, has been enlarged to cover additional areas, and a brief review of them, together with general recommendations, is included in this report. The additional areas reviewed are as follows:

1. PERSONNEL ADMINISTRATION
2. GENERAL ORGANIZATION
3. COMMISSION-DEPARTMENT MANAGEMENT SEPARATION

This written report in many respects is a report of accomplishments and actions. In many cases, recommendations were made, approvals received and the implementation action was initiated wherever possible. This, we believe, speaks well of the Highway Department management and personnel involved for their interest in improving themselves, the Department and the State. The recommendations and actions to date are covered in the report.



### III

## THE EXISTING RIGHT-OF-WAY SECTION AND ALLIED FUNCTIONS

### HELENA

The Right-of-Way function of the Montana Highway Department has as its basic purpose the coordinated acquisition of property required for highway work. The operation is supervised by a Right-of-Way Administrator who reports to the Technical Engineer. A Senior Right-of-Way Administrator reports to the Right-of-Way Administrator, with the Assistant Right-of-Way Administrator reporting to the Senior Right-of-Way Administrator, in this order.

The current organization chart reflects the Senior Right-of-Way Administrator responsible for the Land Agent functions, in addition to appraisals and negotiations review. Analysis of these functions reveals three appraisers reporting to the Senior Right-of-Way Administrator but the Land Agent reporting directly to the Right-of-Way Administrator. The functions reporting to the Land Agent, do in practice. However, there is confusion on the Accountant's reporting relationships with the Land Agent and the Assistant Land Agent.



The Utility Engineer reports to the Technical Engineer with the Assistant Utility Engineer reporting to the Utility Engineer. There is confusion as to the actual reporting relationship of the Estimates Supervisor.

The Right-of-Way Attorneys report to the State Highway Commission Attorney with three Right-of-Way Attorneys' offices located in the office of the Commission Attorney in downtown Helena, and one Right-of-Way Attorney located in the Highway Building. There is one stenographic employee working in each location.

#### DISTRICTS

The Districts are responsible for acquisition of right-of-way required in their respective districts. The right-of-way section in the districts organizationally, vary very little.

The District Engineer has reporting to him one Right-of-Way Agent III in each District who is apparently charged with the details of actual right-of-way acquisition. The Right-of-Way Agents III have Right-of-Way Agents II and Right-of-Way Agents I reporting to them for assistance. There are several instances where the Right-of-Way Agents indicate a



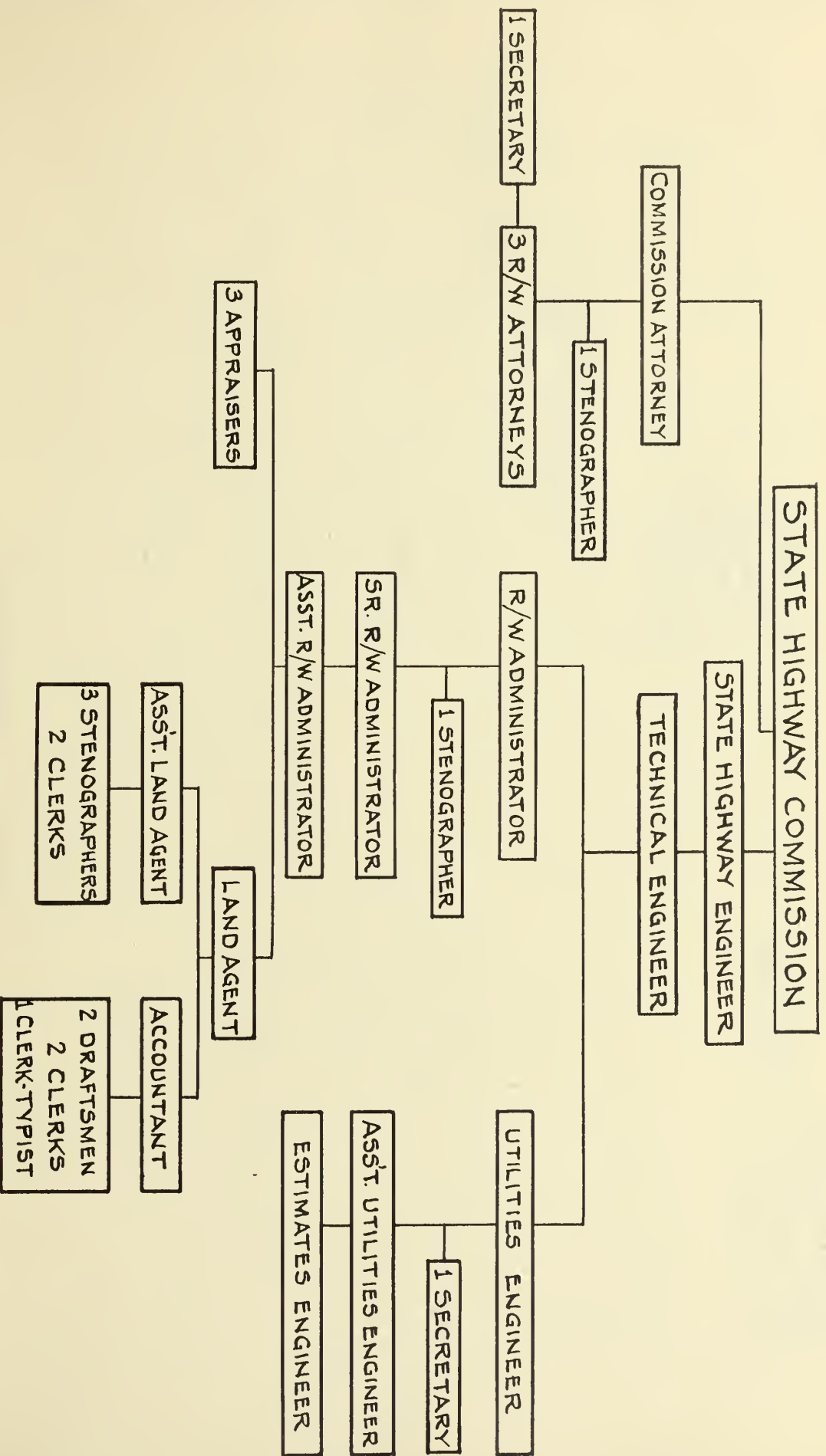
reporting relationship to the District Engineer directly. There are Right-of-Way agents and draftsmen in some districts and engineering aids or rod-men in others, in addition to stenographic personnel, to perform description preparation, minor drafting work and clerical and stenographic work.

The following basic Headquarters and District organization charts reflect the functions which were an integral part of the right-of-way process when the program began.



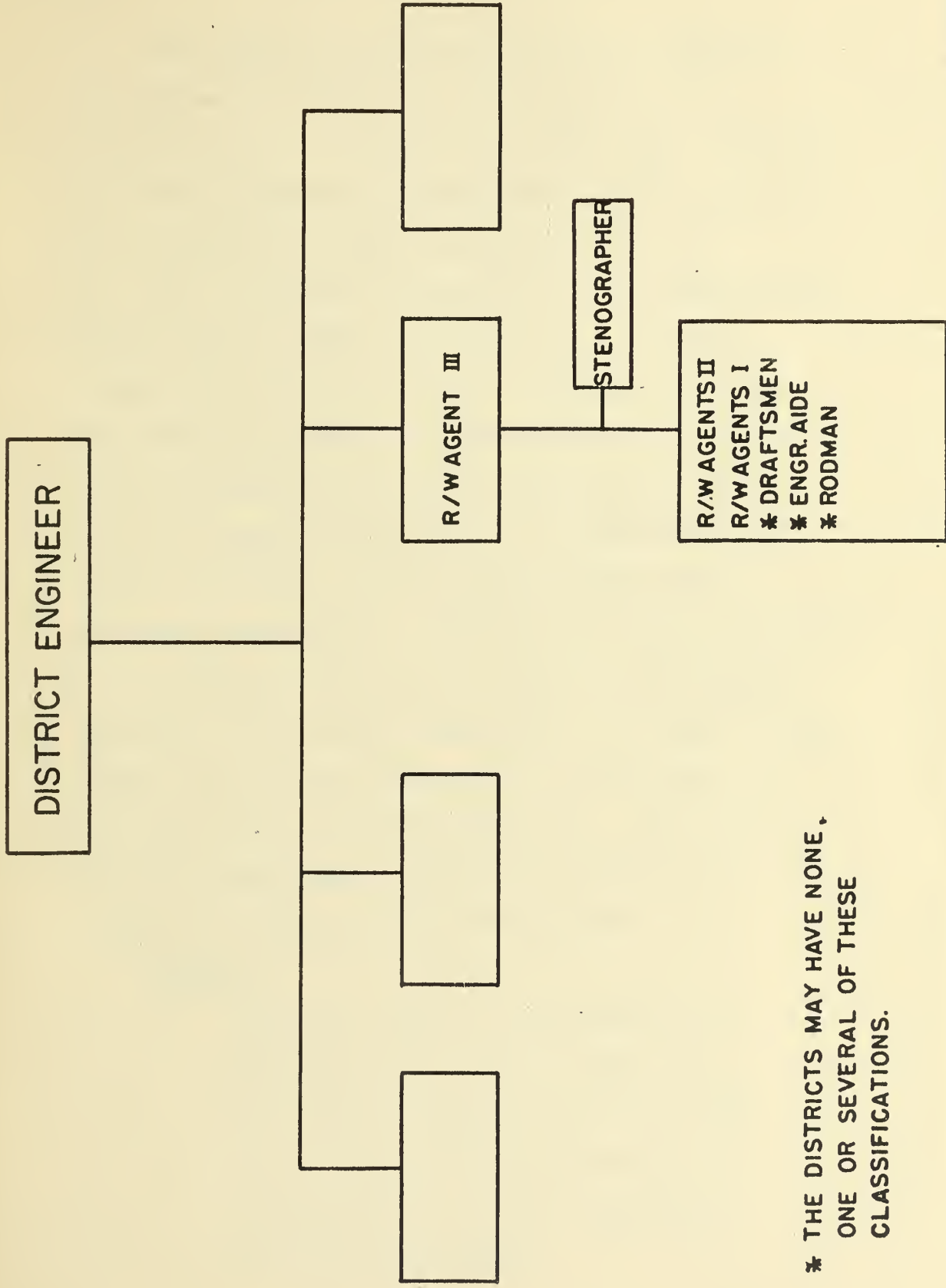


R/W SECTION AND ALLIED FUNCTIONS





# DISTRICT R/W FUNCTIONS



\* THE DISTRICTS MAY HAVE NONE, ONE OR SEVERAL OF THESE CLASSIFICATIONS.



The Right-of-Way operation is predominantly a non-engineering function within an essentially engineering type organization. While this very fact is a basic underlying cause of many of the right-of-way problems, it should not necessarily be so. It is not difficult to realize that the Right-of-Way specialization today is a combination of many professional skills and is increasing in importance very rapidly. One of our objectives was to assist in placing and developing the right-of-way function into its proper place within the Department organization structure. Many recommendations were discussed, approved and implemented during the progress of the program. These were aimed at providing an efficient and effective organization to expedite the right-of-way process immediately, and to lay the groundwork for continual improvement. The organization changes which reflect improvement in the organization structure are as follows:

HELENA:

1. Place the right-of-way function in Division status directly under the State Highway Engineer in order that the activity of the Division can be regulated by the key administrator of the Department.



2. Eliminate the positions of Sr. Right-of-Way Assistant and Assistant Right-of-Way Administrator to facilitate easier administrative access channels throughout the Division.
3. Separate the appraisal review and negotiations review functions into two full-time positions with identical organization status to allow more weight to each specialization and to provide a desired check and balance of the two activities.
4. Transfer the utilities right-of-way function, with equal organization status to the Right-of-Way Division for proper integration of closely related activities.
5. Create the position of Right-of-Way Utilities Engineer and reclassify the incumbent accordingly.
6. Create the position of Assistant to the Right-of-Way Engineer to perform a variety of necessary staff functions within the Division to allow concentration on specialty activities.
7. Transfer full-time Right-of-Way attorneys to the Right-of-Way Division with equal organization status and move physically to the Highway building.





8. Eliminate the title of Assistant Utilities Engineer and create the title of Right-of-Way Utility Coordinator and reclassify the incumbents, accordingly.
9. Eliminate the title of Right-of-Way Agent in Helena and create the title of Reviewer and reclassify the incumbent, accordingly, to be assigned to the Reviewing Appraiser and Reviewing Negotiator, as necessary.
10. Transfer the reporting relationship of the Accountant from the Land Agent to the Assistant Land Agent.
11. Create the title of Property Description Reviewer to report to the Land Agent.
12. Transfer the property description review, checking and records research function to the Right-of-Way Division to answer organizationally to the Land Agent.



DISTRICTS:

1. Create the title of District Right-of-Way Supervisor to be placed in charge of the assigned District right-of-way operation and to answer organizationally to the District Engineer.
2. Create the title of Right-of-Way Office Coordinator to properly recognize a necessary function which is now being performed by a variety of different classified and titled employees. He would answer organizationally to the District Right-of-Way Supervisor.
3. Create the position of Assistant Right-of-Way Agent to act as the training or probationary position for new Right-of-Way employees. He will answer organizationally to the District Right-of-Way Supervisor.
4. Transfer property description function to the districts involved and assign Right-of-Way Draftsmen, accordingly.
5. Create the title of Right-of-Way Draftsman to function in the area of property descriptions preparation and minor drafting. He will answer to the District Right-of-Way Supervisor.

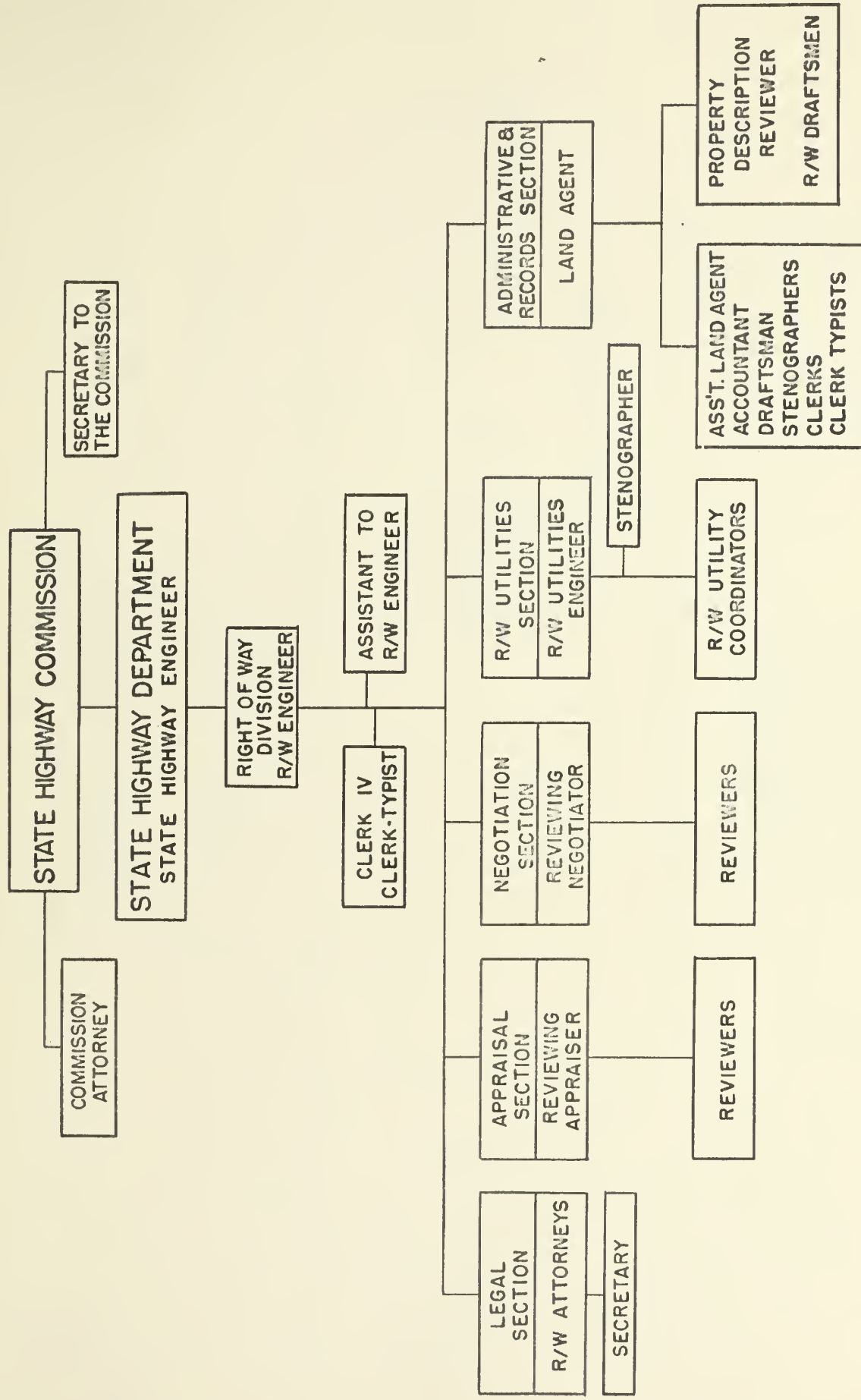


While the results have been gratifying, they should be considered as only the initial steps in improvements or modifications of the Division and District organization structure. Efforts must continue into those areas where organizational improvements can be made as experience and progress are gained.

The material following includes basic organization charts of the Right-of-Way Division and District Right-of-Way section. The organization structures were proposed, approved and implemented early in the program. Position descriptions for the primary functions of the Right-of-Way Division and District Right-of-Way Section have been prepared, discussed and implemented. They are contained in Section XV of this Report. Their adequacy has been tested and improvements made where necessary. The structures and position descriptions currently in operation reflect the most effective for the current Right-of-Way operation.



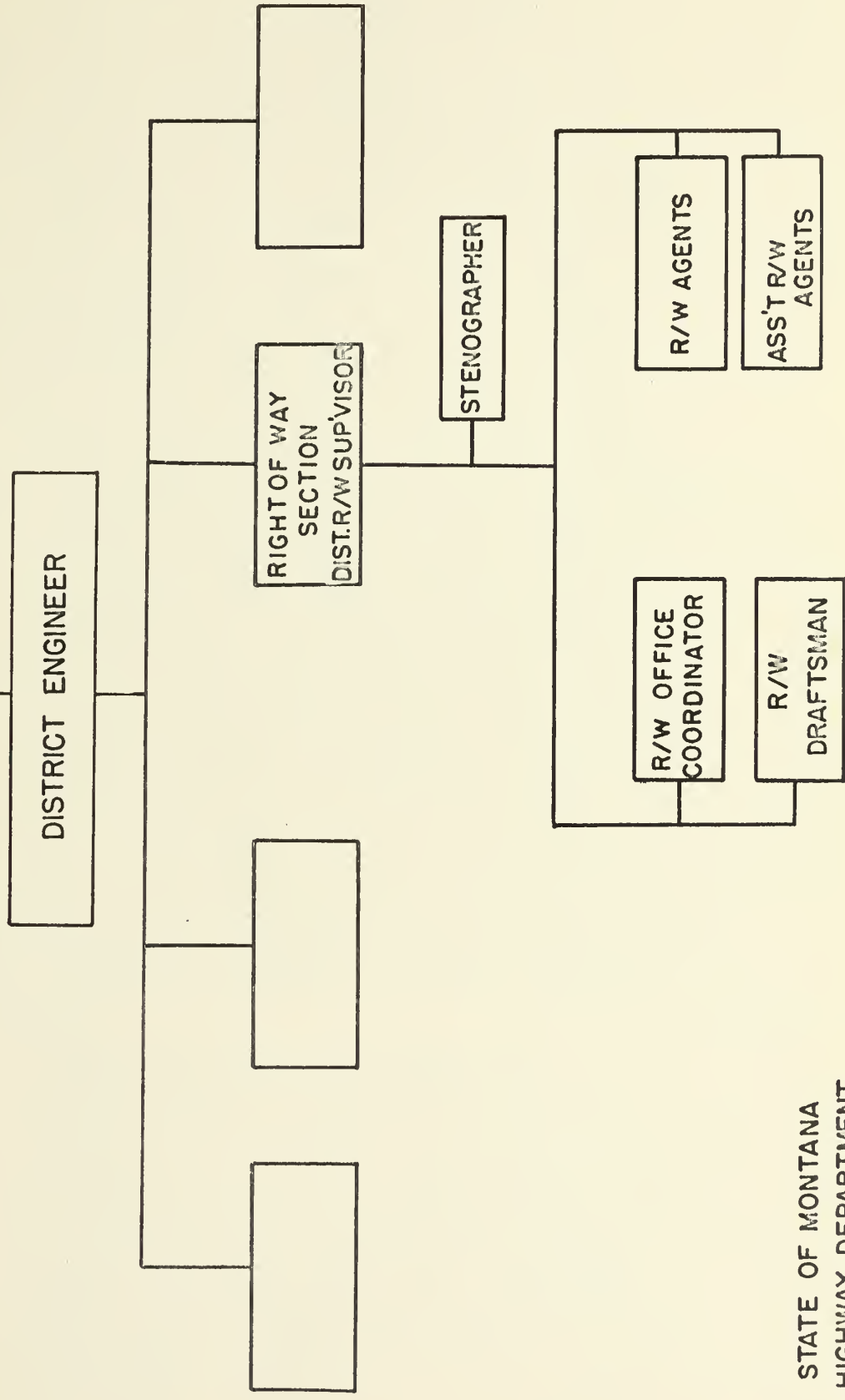
# RIGHT OF WAY DIVISION ORGANIZATION







RIGHT OF WAY ENGINEER  
FUNCTIONAL AUTHORITY



STATE OF MONTANA  
HIGHWAY DEPARTMENT  
SEPTEMBER, 1959



Many Right-of-Way improvements, other than to the organization structure, took place in the period extending from April, 1959 to January, 1960. The improvement in relationships, the movement of personnel, the streamlining of procedures and the personal training of specific personnel include areas of assistance which are not recorded. The credit for improvements must be shared with those personnel who extended extra cooperation and efforts. Their contribution toward increasing the effectiveness and efficiency of the Right-of-Way function was invaluable. A program of this type will take months to actually determine the full value. Many of the recommendations are in progress and will require considerable time to realize complete improvement in operations.

The more important recommendation actions which have been implemented, or are in process, include the following:

1. Communicating with all concerned regarding the permanency of the decentralized type District organization.
2. The elimination of by-passing District Right-of-Way personnel when additional appraising or negotiating must be conducted.



3. The placement of employees engaged in right-of-way acquisition work, its approval or administration, under appropriate bond.
4. Discontinuing the practice of sending payments for purchased right-of-way or facilities to District personnel for delivery.
5. Recommending that competent Right-of-Way representative accompany highway location parties as an equal member of the team.
6. Assistance in modifying the Right-of-Way status reporting methods for an up-to-date and more effective administrative control from the Districts, and other Divisions, sections, etc.
7. Discontinuing the function of Program Engineer which duplicated work being performed closer to areas of actual utilization.
8. Analyze the possible use of local legal services within the respective Districts for condemnations and local legal problems.
9. Clarifying and transfer of property description preparation to the District concerned.
10. Assistance in tightening of administrative controls within the Division for a more prompt and effective flow of the process.



11. Assistance in determining more meaningful and accepted titles for Right-of-Way personnel and reclassifying personnel, accordingly.
12. Assisting with minor revisions in the salary structure of Right-of-Way personnel in order to include more spread in the salaries of District Right-of-Way Supervisor and Right-of-Way Agent and Assistant Right-of-Way Agent.
13. Recommending and beginning assistance in the preparation of policy, operation and procedures manuals, covering all phases of the Right-of-Way function.
14. Recommending and assisting in the preparation of a Right-of-Way work flow pattern for a typical interstate project. This instrument is to be used for clarifying the existing operation and as a basis for improving and expediting the work.
15. Recommending and outlining a complete Right-of-Way training program.
16. Participating in initial meetings and conferences for outlining and implementing improvement actions.
17. General improvement in Right-of-Way employee attitudes and performance, as observed by outsiders concerned with the operations.





REVIEW OF FUNCTIONS RELATED TO  
THE RIGHT-OF-WAY OPERATION

This Program would not permit detailed analysis and implementation of all areas related to the Right-of-Way function which may require consideration. Sufficient review has been made of many related areas to make a number of the more significant observations. These require consideration and action in order to provide an overall smooth and effective Right-of-Way Division.

Review of functions related to the Right-of-Way operation include:

1. LAWS AND LEGISLATION: The laws of Montana governing Right-of-Way and its acquisition for highway use are outdated and appear to require detailed review and analysis. The citizens of Montana are not provided the adequate protection and the Highway Department operation is being hindered by outdated legislation. A comprehensive review and development of proposed legislation to alleviate many of the problems was made in 1957 by personnel of the Department. The reason for the proposed legislation's lack of acceptance is not clear. There is evidence to warrant an organized approach to



continuing efforts in this area. Laws and legislation, like all business matters, require continual analysis and modernization, if they are to provide the basis for the dynamic progress confronting the State of Montana.

2. DISTRICT ENGINEER IN RIGHT-OF-WAY WORK:

It is quite apparent that the District Engineer, in the type of Department organization structure currently in operation, is a key-man in the success or failure of the Right-of-Way function, as well as all other District operations.

In the past several years the District Engineers have been required to spend an increasing amount of their time and efforts in the process of right-of-way acquisition. There is little possibility that this will change in the future. The knowledge and performance results in Right-of-Way must be given its proper importance along with other operations required of the District Engineers. The burden will continue heavy until the District Engineer and his Right-of-Way section gain the experience and develop the personnel to handle Right-of-Way in a smooth and efficient manner, along with



proper coordination with the Right-of-Way Division.

At the District level the following are essential for the District Engineer if he is to be successful in this important phase of his total responsibility:

1. Understand fully the importance of the Right-of-Way function and give it a proper place in the District organization structure.
2. Prepare himself by taking part in the training programs and researching for fundamentals.
3. Understand the approved policies, procedures and operating requirements of the Right-of-Way process and insure compliance in his District, recommending changes and modifications as necessary.
4. Understand the functional staff control by the Right-of-Way Division and the requirements for insuring compliance with responsibility and authority.
5. Coordinate jointly with the Right-of-Way Engineer for planning, scheduling and programming, acquisition, disposal, etc., as required for highway use.



6. Be responsible for the personnel actions of the District Right-of-Way section to insure compliance with expected performance.
  7. Understand the prepared position descriptions for the Right of-Way personnel and develop acceptance of the incumbents concerned.
  8. Review and recommend for approval all Right-of-Way acquisition projects, assuring that requirements of the Right-of-Way Division by the District have been met before submission to Helena.
3. LACK OF PLANS: A prime reason there exists constant pressure on the Right-of-Way and that acquisition schedules are not met, is the lack of approved plans in the time required or early enough for proper organization of the Right-of-Way function. The planning, location and design stages of the process are in need of clarification and strengthening. There is an unusual amount of long periods where the lack of firm advance thinking, planning and setting of firm target dates is causing a feeling of "rattling around."





All of the phases involved indicate a lack of information, clear-cut decisions or too many changes. This occurs to the extent that improvements in the Right-of-Way function will only be of token value until there are improvements in areas which have a direct influence on Right-of-Way or on which they depend for information and decisions. Improvements in this situation would result from:

- a. The recent addition of the project control panel if supported with section control panels and given "teeth" to operate promises to assist substantially in providing control over projects undertaken by the Department.
- b. Operation flow charts of the process involved in the varied divisions and sections for the purpose of insuring appropriate application throughout. If completed and applied properly they would be a valuable addition to clarifying, simplifying and expediting the process.
- c. The recent installation of additional electronic processing equipment capable



of providing more information faster. This will improve the engineering phases and holds possibilities in Right-of-Way when programmed and implemented properly.

- d. Assignment of "project coordinators" to work in conjunction with the control panels. If given the necessary authority to provide detailed policing and follow-through on any phase of the process the proper individual would be in a position to keep the targets "on schedule."
- e. General organization analysis which would include detailed review of all operations. (Note Section XIII - General Organization.)

4. PLANNING, BUDGETS AND CONTROLS: There are several areas of the Montana Highway Department which are, or should be at some future date, receiving consideration and strengthening actions. Of these areas, the one with the greatest promise for improvement results, in need of urgent attention, is the problem of better planning, adequate budgetary data and controls.



The basis of an organized business and one measure of its efficiency is the degree over which budgets are established and adhered to. This also will reflect the performance of the people and the results of the projects undertaken.

In the course of the Right-of-Way program and the subsequent discussion with Division and Section managers throughout the Department, this problem appears unusually acute.

By proper projection of anticipated revenues from the variety of sources and preparing workable budgets for expected expenditures in all areas far enough in advance, planning the highway program can be accomplished on a basis consistent with good management.

Estimated revenues for five to ten years in the future should be analyzed to determine short-range and long-range plans. The best projected revenue figures might be based on several different highway planning programs, i.e.,

- (1) projects that can be identified with certainty,
- (2) projects that probably can be undertaken and
- (3) projects that might be undertaken if the maximum revenues actually materialize. The type of project has a host of built-in requirements



such as: establishment of better cost records throughout the Department, review and modifying procedures of allocating charges to accounts, follow-up control on budgets, requirements for closer adherence to budgets, emergency situations, etc.

The Department has willing and capable accounting personnel and the mechanics of such a program would offer no difficulty. They do require guidance in analyzing the problem, centralizing the functions involved and organizing, developing and implementing an adequate program. Only by the establishment of controls, and adherence to these controls, can the Department conduct adequate planning and render the desired service to the State of Montana.

5. UNCONDITIONAL AWARDS SUBJECT TO ACQUISITION

OF RIGHT-OF-WAY: Review of actions involving situations of this nature led to the conclusion that it is not generally a healthy practice. The reasons supporting such actions when they were most prevalent undoubtedly benefited the State at a time when a serious unemployment situation and minor depression threatened the area. Also the Bureau of Public Roads permitted and encouraged such actions at that time.





An unusual amount of actions of this nature places a heavy burden on the Right-of-Way performance, as well as others. It has the tendency to upset firm and effective programming and scheduling of work, throwing other programs and acquisition schedules out of balance. Normally, a certain amount of unforeseen steps in the routine pattern can be expected, and flexibility should be built into the function to handle it. Too much pressure, too often, will result in missing important schedules and in work of a less desirable manner.

It is recognized that a firm policy is not practical as each situation must be considered individually. However, they should be held to a minimum. Due to its general nature and the complexities that exist with a speed-up of this kind, it is recommended that no contracts be awarded on the Interstate program without full Right-of-Way acquisition.

Moreover, it is desirable that the entire process be strengthened, streamlined and balanced to the extent that all phases of the operation will have the necessary time, and such actions will not become necessary.



6. SALARIES AND POSITION CLASSIFICATIONS:

There appear to be a few inequities in salaries of personnel within the Right-of-Way Division and the lack of adequate correct position classifications. However, the inequities in Right-of-Way are not any more apparent than elsewhere in the Department. Several classification changes were effected in the course of the Program but only where it was necessary for consistency with the new organization structure.

A brief survey conducted in several surrounding states on Right-of-Way personnel salaries reveals that those paid in Montana are average. Some classifications are high and some low. Generally speaking, salaries paid are not a serious matter with the personnel of the Right-of-Way Division, and are not a significant factor in output or performance.

In view of the above, any changes in the Right-of-Way Division should be made only in conjunction with an over-all review and development of a program involving the whole Department. To adjust salaries in one function would not be realistic or desirable without consideration of all jobs in the Department. To do so would invite disruption and inequities elsewhere in the Department.



As is recommended elsewhere in the Program report, (Section XII - PERSONNEL ADMINISTRATION), a review of the entire Personnel Administration Program invites early consideration and development. Any salary and classification inequities would be corrected under the Wage and Salary Administration phase of that Program.



The work flow in an operation the size and complexity of Right-of-Way is difficult to follow by even the most experienced personnel of the Department. A current knowledge of the existing process flow pattern is required if streamlining and efficiency is to be made.

The necessary steps involved in Right-of-Way acquisition process and the administrative requirements and "paper work" which accompany these steps require clarity, understanding and acceptance. Only then will Right-of-Way programming be realistic and acquisition schedules be met with any degree of regularity.

The detailed work flow pattern following represents all major steps of the existing right-of-way acquisition process which are involved in a typical Interstate project. The preparation of the current process flow will aid in clarifying, understanding and expediting the current operation and provides a basis for future improvements.

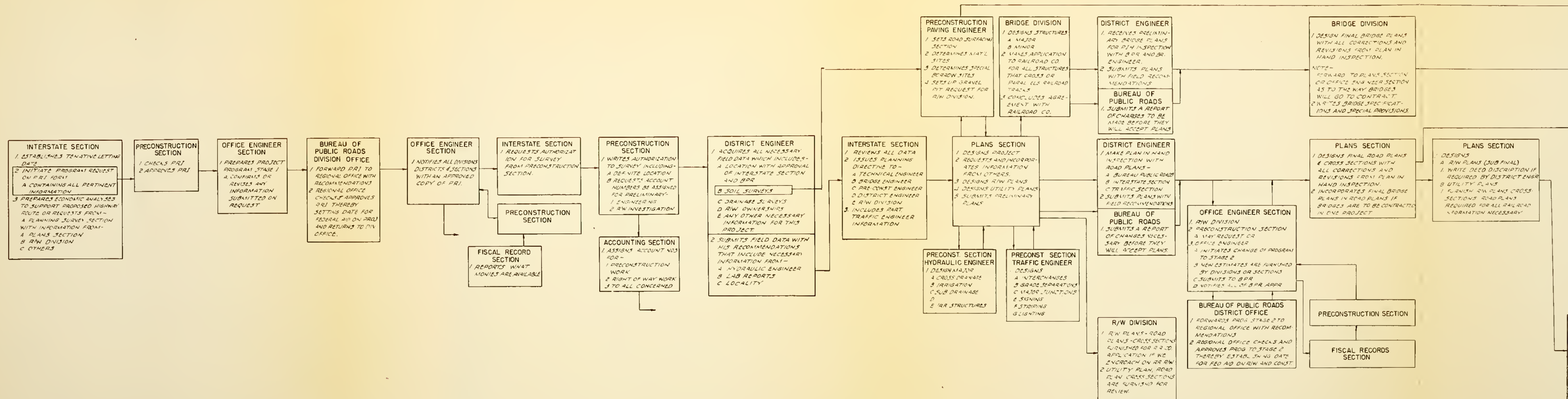
Many of the Department personnel who assisted in the preparation and review of the existing Work Flow Pattern have indicated areas where improvement





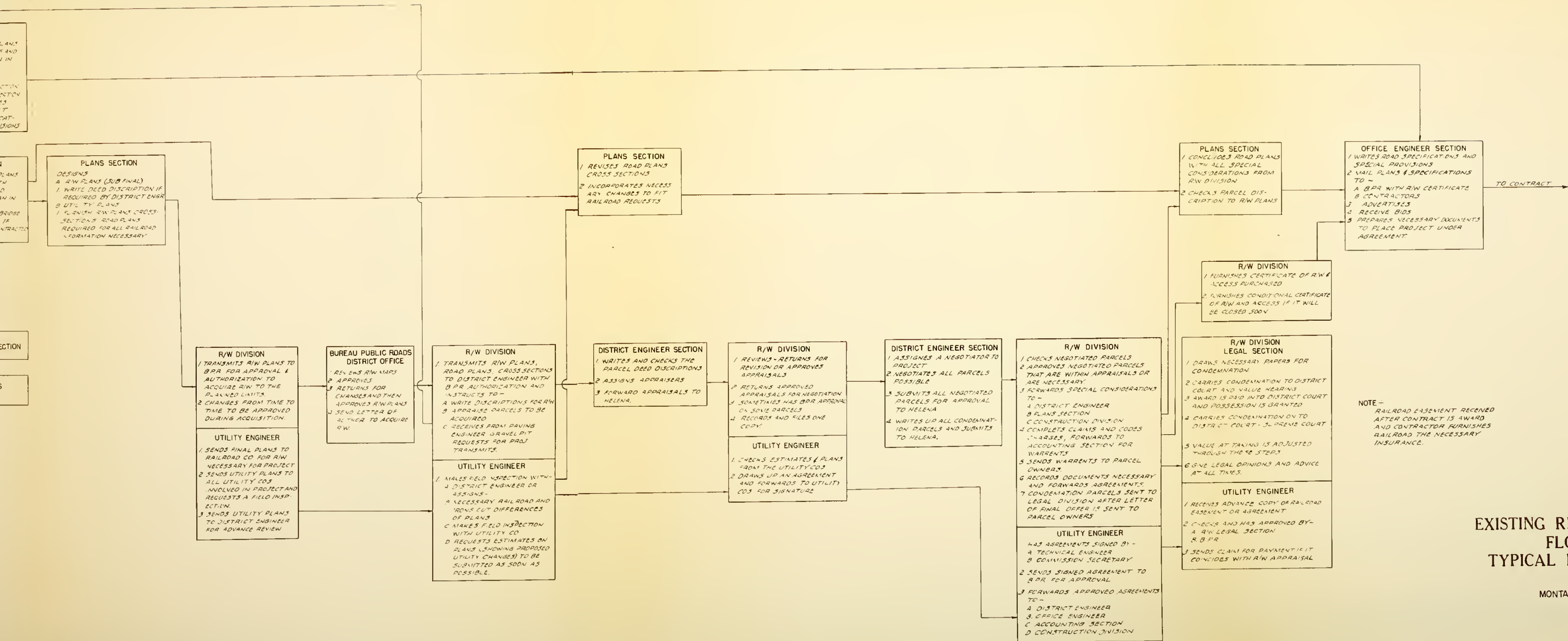
can be made. Actions of this nature should be encouraged and continued as rapidly as possible.

## EXISTING RIGHT OF WAY PROCESS FLOW PATTERN TYPICAL INTERSTATE PROJECT



BUREAU OF PUBLIC ROADS REQUIRES PROGRAM STAGE 1 OR STAGE 2 THROUGH THIS FLOW

# OF WAY PROCESS TTERN TATE PROJECT



NOTE -  
 RAILROAD EASEMENT RECEIVED  
 AFTER CONTRACT IS AWARDED  
 AND CONTRACTOR FURNISHES  
 RAILROAD THE NECESSARY  
 INSURANCE.

## EXISTING RIGHT OF WAY PROCESS FLOW PATTERN TYPICAL INTERSTATE PROJECT

MONTANA HIGHWAY DEPARTMENT  
 HELENA, MONTANA  
 September 1, 1959



## VIII

## PHYSICAL LOCATION

Organizational adequacy and administrative effectiveness cannot be separated from the day to day operations by physical location of the various functions and any limitations which they may impose.

Employee productivity has a close relationship with the proximity of related functions with which they conduct day to day activity. The current placement of important Right-of-Way functions discourages the immediate exchange of information, the expediting of normal work flow, it adds to difficulty of close and constant supervision and may involve unwarranted manpower. Without ever being particularly prominent, the lack of centralization of the functions involved in Right-of-Way in Helena can cause an inefficient, more costly and ineffective operation.

The Highway Commission and the Department is to be considered fortunate in having a new addition to their Helena headquarters building. This, generally speaking, appears to be adequate for their current space requirements. However, there is a need for a more logical grouping of functions for its maximum utilization.





It was recommended early in our program that consideration be given to a physical consolidation of the varied Right-of-Way functions to improve the effectiveness of the Division.

It was also recommended that a position of Space & Maintenance Superintendent be created with the responsibility for planning and handling problems involved in the maximum utilization of all space, in addition to other functions related to these facilities.

At the time of this report the Space & Maintenance assignment has been made and the consolidation of the Right-of-Way Division accomplished, with immediate improvement in operational performance, efficiency and effectiveness being realized.





## IX        INTEGRATED DECENTRALIZATION OF           THE RIGHT-OF-WAY OPERATION

A basic reorganization took place in 1957 at which time the present five Districts were formed from the former eleven. This was organizationally sound application of a modern accepted principle. Accompanying this reorganization was a certain autonomy that was partially taken for granted by the Districts and partially by default. There is present danger that the Districts may go too far on their own. Complete decentralization would mean establishment of five separate Montana State Highway Departments. This, of course, is not practical or desirable.

Proper integration of that decentralization with the Helena Headquarters staff means the control and uniformity that is required to "keep everybody on the same team."

The principle of Integrated Decentralization involves centralizing philosophy, objectives and policies but decentralizing so that decisions and methods are determined as close as possible to the point of performance.

The major requirement for application of the principle is a general understanding of the three types of supervision. These are:



1. ADMINISTRATIVE SUPERVISION: The superior directs all of the subordinate's activities relating to functional or technical operations and also his schedules, placement, hours, conduct, etc.
2. FUNCTIONAL SUPERVISION: The subordinate's activities relating to functional or technical operations only are received from one source, often some distance away.
3. PERSONNEL SUPERVISION: The subordinate receives his "human" supervision covering attendance, hours, conduct, location, etc., from a separate source.

In application to the Montana Highway Department and the Right-of-Way Division it would involve the following:

1. HIGHWAY COMMISSION: The Highway Commission will provide Department objectives and policies, clarifying the results expected and delegating the authority to operate, working closely with the State Highway Engineer.
2. STATE HIGHWAY ENGINEER: The State Highway Engineer will interpret the policies of the Commission and take the required action to convert the principles to a working plan.



This would include developing the necessary organization framework, proper identification of primary functions, staffing, developing programs, controls and assuring understanding, acceptance and support. He would delegate the necessary freedom to operate and work closely with the Top managers involved.

3. RIGHT-OF-WAY ENGINEER: The Right-of-Way Engineer will share in the interpretation of policies as they concern his function, together with other members of Top Management. He will formulate and obtain State Highway Engineer approval on Right-of-Way objectives, operating policies, procedures and programs. He will develop Right-of-Way requirements and expected results, specialty training and systems to gain and retain functional control of the Right-of-Way function.
4. DISTRICT ENGINEER: The District Engineer will share in the formulation of programs and schedules and understand the necessity of centralized functional control. He will advise on Right-of-Way Division operations procedures and methods as they concern his area. He will hire and provide "human" supervision of the District Right-of-Way staff and provide performance



expectations to meet approved schedules and programs. He will devise and apply local methods to meet situations in that area, and will grant freedom of action to the Right-of-Way staff necessary to accomplish the job.

Many requirements for the application of this principle to the Right-of-Way Division have been written and explained, and their understanding and implementation is in process. The success of improving Right-of-Way and the Department operation depends on its total application and acceptance.





Much has been written concerning the requirements of a Public Relations Program for highways in general and Montana Department of Highways in particular. It has undergone criticism from nearly every corner for having too little here, too much there or the wrong kind at the wrong places.

An undertaking of the magnitude and nature of the highway program in the State of Montana at best invites much controversy. That the Interstate highway system has been in development stage for several years, should have prepared the State for the resulting impact. The cold reality of right-of-way being taken, highways being built and the problems and technical complexities of planning, design, construction, maintenance and administration have made some individuals and groups very vocal in their criticism. The fact that criticism is overdone or done without the basic interests of the State as a whole is a dangerous possibility.

Criticism and public information are to be expected in the Democratic society in which we live. Cognizance of this normal condition must be accepted by the Department.

The Public Relations Coordinator and the formal recognition of the public relations function



was established in January, 1958. The staff consists of the Public Relations Coordinator, a Public Relations Assistant and one stenographer. Their work and willingness to date to apply a wholehearted effort to the problem have met with a certain measure of success. The size and nature of the present highway program, along with the present public opinion, may necessitate an evaluation of the personnel and present program to more fully insure public understanding, support and participation in the process of converting plans into a transportation facility.

The continued development of an effective program with the objective of winning the support of an informed public and citizens of the State of Montana is vital to the success of the Department.

The following may be of assistance and guidance to a more successful program:

1. Consider any future additions to the staff only if they bring a high degree of public information, experience and training.
2. Develop programs for better informed Department employees at all levels to insure a willing and informed employee attitude.



3. Draw from the State Highway Commission an understanding of the need for Public Relations and the vital need for their combined support.
4. Prepare written public relations policies, programs and procedures, and assure their understanding and acceptance by the Commission, management and employees.
5. Recognize the State Highway Engineer as the principal Public Relations officer and the value of remaining close to him for leadership and guidance.
6. Explore with Division and District managers the need for public understanding of his work so that the public relations program will be meaningful from his standpoint.
7. Begin at grass-roots level of informing the public of increased area economy, safety, beautification and progress associated with the highway program.



8. Fully understand and constantly convey the primary principles that the Department's efforts above all are for the citizens of the State.
9. Field Right-of-Way personnel is an ideal area for application of public relations programs and procedures. They offer an excellent sounding-board for determining public acceptance, attitudes and thinking.
10. Sell the Department to the citizens through human interest, civil leadership, professional attainment, etc., of its employees.
11. Make better preparation, and effectiveness of public hearings from a public relations viewpoint.
12. More and improved quality of meetings with, and preparing factual informative data for:
  - a) Service groups
  - b) News media
  - c) Heads of State agencies
  - d) Schools, colleges and associations
  - e) Political leaders
  - f) General public





The expanding highway program imposed many requirements on the states not previously experienced, at least, not in the magnitude that is prevalent at this time. The states successful in meeting their highway construction schedules are those which had an experienced Right-of-Way staff at the program's inception. Most states, like Montana, met their increased responsibility of the expanded highway program by adding engineering, administrative and technical personnel. Many problems would have been solved and the success of the Department more readily realized if there had been trained and experienced personnel available to handle the impact. This had been accomplished to some extent on engineering phases of the problems by adding and retaining technically experienced personnel. However, increasing the number of Right-of-Way personnel in the Department without a plan of organization, training and integrated direction and control undoubtedly confused the situation.

If the Department had been able to hire trained and experienced Right-of-Way personnel at the outset, many of the present problems would never have existed. The personnel were not, and for the most part, are not available. No one is to blame for this.



Highway right-of-way acquisition is perhaps the newest and least understood profession of our day. It is a unique combination of several professions and has many new requirements necessitating a different approach to the problem of trained personnel. This may be realized by the fact that, only recently, our most prominent colleges and universities have undertaken the development of formal training in areas involving right-of-way acquisition. The only immediate solution for the Montana Department of Highways is to "make your own."

The Department may be slightly understaffed, but only in experienced and qualified personnel. It has a nucleus of experienced and competent right-of-way personnel available now. These few experienced personnel must be utilized for supervising, reviewing and approving work of others. They must share the responsibility of a training program with assistance from the Commission, management and other specialty functions. Continuous effort must be made to retain employees with the fundamental qualities to make good Right-of-Way agents, and then trained properly for the requirements of the Montana Highway Department. It was recommended early in our Program to begin immediately to develop and organize a training program to cover the following:



1. Right-of-way appraisal standards, techniques, methods, land and construction values in Montana, depreciation of construction, damages, etc.
2. Right-of-way negotiations, methods, standards, techniques, human relations, basic sales psychology, principles of buying and selling, etc.
3. Understanding and acceptance of administrative forms required in the right-of-way process, their proper completion, submission, records, reports and special information.
4. Basics and principles of real property law, contracts, encroachments, titles and abstracts, leases, taxes, mortgages, condemnation proceedings; obligations of the State involved, etc.
5. B. P. R. requirements, methods, general procedures, justifications, citations, participation in construction funds, etc.
6. Discussion, understanding and acceptance of Montana law governing right-of-way acquisition and the Department of Highways.
7. Basic training and understanding of highway programming, financing, location, surveying, design, traffic, priorities, and construction, etc.



8. Understanding of the basic administration and organization of the Department and how the Right-of-Way Division and function fits in.
9. Basic principles of public relations and their effect on the right-of-way process, the Department and the State.

The type of immediate training needs and the material required calls for a program unlike anything now available in the Department. Portions of the Training-in-Service program should be utilized where applicable with close coordination with the Right-of-Way Division.

Recommendations for developing a Training Program for present and future Right-of-Way personnel include:

1. Appoint a steering committee to advise, discuss, determine training policies concerning right-of-way development needs and operation. The Right-of-Way Engineer should be a committee member and coordinator.
2. Assign the preparation of training information listed above to qualified personnel. The information should be prepared on a pre-arranged time table with a selected priority for each phase.





3. Begin as quickly as possible to arrange district sessions, based on pre-arranged priorities, for presenting training information by each author, utilizing selected assistants and props.
4. Utilize the prepared information for conversion and preparation of operations procedures and policy manuals.
5. Organize training sessions in a manner to include participation by the conferees.
6. Augment Right-of-Way "Basic" training by utilizing outside experts periodically.
7. Arrange to send the qualified personnel to selected seminars and conferences with instructions to prepare and distribute resumes of agendas and related findings immediately upon return.
8. Select and distribute information concerning right-of-way from Right-of-Way handbooks, national publications, technical journals, other highway magazines, etc., to personnel involved.
9. As soon as practical institute different types of training and information for beginning, intermediate and advanced groups of right-of-way employees.



10. Arrange for periodic department-wide seminars on right-of-way problems, trends and related information.
11. Arrange for frequent District Right-of-Way Supervisor conferences in Helena.

The above information was transmitted to the Right-of-Way Division early in the Program and program development, preparation and installation actions have been in progress for some time. Pilot training operations have been held in Helena and introduced in several Districts with good results. The program development should be continued and supported actively by the Highway Commission and Department Management.



The most valuable possession to the success of any organization is its employees. It is quite unlikely this can be challenged or changed. Highway planning, engineering, construction, maintenance, administration, etc., will create never ending problems. The quality and quantity of these activities and the value of services connected with them will depend squarely on the personnel of the Department. A modern program of Personnel Administration and the methods used in securing, paying, training and handling of personnel continues to be a vital part of any organization.

The current personnel function consists primarily of keeping varied personnel and payroll records and the program is not adequate for the Highway Department of the State of Montana. The personnel functions that are being performed are done so in a variety of locations throughout the Department. This type of operation lacks the continuity, strength and acceptance that should accompany an adequate personnel program.

The personnel function, like many other required staff functions in today's everyday business, calls for a kind of professional individual, thoroughly trained and experienced in this specialized field. The success of any personnel program will depend on the caliber, acceptance and stature of the person charged with its leadership.



The functions usually associated with a personnel administration program include:

1. EMPLOYMENT: Covering recruitment, screening, interviewing, referring, testing, investigations, transferring, promotion and terminating employees of the Department. Actual selection of an employee must be left to the direct Supervisor. This will insure a proper relationship between employee and employer which is essential in good employee relations.
2. TRAINING: Covering all training orientation and indoctrination of employees. This should be a function of Personnel. They should assist and coordinate development of programs, special training areas required by any different functions of the Department as needed, including On-the-Job-Training, advanced job training, job rotation, outside workshops, seminars, conferences, etc.
3. WAGE AND SALARY ADMINISTRATION: Covering salary structures, position descriptions, job evaluation, performance review, union relations, labor costs, statistics, promotional increases, etc.





Personnel should develop program policies, procedures which offer an equitable and just treatment of all employees. There appears to be some inequities in the salaries and classifications of several department functions. In view of this it would not be realistic or desirable to adjust any one job or combination of jobs in one area without considering all of them. To do so would invite disruption and more inequities elsewhere. An analysis of the entire salary administration program is urgently needed.

4. EMPLOYEE SERVICES: Covering vacations, insurance, retirement, pensions, sick-leave plans, hospitalization, employee social and recreational activities, clubs and related employee services.
5. SAFETY: Covering accident prevention, fire prevention, accident investigation, reports for insurance agencies, civil defense, safety indoctrination, field investigations, etc. Safety can be considered a personnel function due to its association with employees, employee programs, training, personnel records, statistics and general problems of employee welfare.



6. PERSONNEL RECORDS AND RESEARCH: Covering master personnel records centrally located in order that all employee files will be handled satisfactorily. Research activity covering employee turnover, exit, interviewing personnel practices, surveys, employment trends and a wide variety of related activities usually associated with this function.

In the interest of providing adequate services customarily comprising personnel management it is desirable that prompt Commission and Department action be taken to conduct a study to centralize and develop the functions and the personnel believed essential to the Department.



Our program required discussion in a wide range of areas of the State Highway Department where the Right-of-Way process is directly and indirectly involved. As a result, a brief analysis of all the primary functions was developed and a general picture of the Department organization structure formed.

The Department organization, as a whole, is suffering from the impact of the expanded highway program and the problem of converting operations to that of a large progressive enterprise. The Department has many experienced and loyal employees that are doing a good job but appear handicapped from a thinness in the management and middle management levels. The organization needs strengthening by proper identification, placement and clarification of functions in many areas. This would improve the administrative effectiveness immediately and place the organization structure in better position for future operations.

It is recommended that consideration be given to an organization study of the Department. Such an undertaking would only be effective if the study was accomplished by persons experienced, competent and objective in their analysis and who



could provide the implementation necessary for the immediate as well as long-range requirements. Criticisms, without a completely objective viewpoint, studies for the sake of studies and "witch hunts" are themselves useless, ineffective and expensive unless supported by a realistic and constructive program, implementation action and follow-through for required results.

The recommendation is based on the following observations:

1. There is lack of a clear-cut separation of Commission-Management responsibilities and authority.
2. The State Highway Engineer performs an excessive amount of administrative work, and minor decision making, which could be delegated to lower management levels.
3. There is need for placement of an executive immediately under the State Highway Engineer to assist in handling basic functions in an organized way.
4. The decentralized type of organization, while being basically sound in principle, needs clarification, strengthening and integration throughout the Department.





5. There is need for clarification, understanding and acceptance of personnel, administrative and functional relationships throughout the Department.
6. The understanding of line and staff relationships is unclear.
7. The Department has a number of technically competent personnel badly in need of management and supervisory training.
8. Basic functions of the organization structure need re-grouping for effective administrative handling.
9. Policies are lacking or not clear on vital issues.
10. Project controls are lacking or need strengthening.
11. Clear statement of authority, responsibility and relationships are needed to reduce confusion and uncertainty throughout the Department.
12. Staff controls need strengthening.
13. Manuals covering Department administration, operation and all procedures are lacking or need improvement.



The Commission-single executive type Highway organization structure has been found most favorable in the great majority of states. This type structure is believed sound for the State of Montana. Even the most successful have found a requirement for appraisal and strengthening. Most have established highway employment on a career basis, completely free from political attitudes and activity. This establishes safeguards which assure greater stability, competence and efficiency in highway operation.

The Right-of-Way operations program and the resulting strengthening actions is an important step in beginning a long-range approach to problems which have evolved over the past many years; problems which have now become unusually acute due to the pressures and increased tempo of the expanded highway program. Other areas should be given early consideration in a step-by-step process, aimed at total review and improving the overall Department organization.



COMMISSION-DEPARTMENT MANAGEMENT  
SEPARATION

An early situation encountered in our Program was one involving the State Highway Commission, the State Highway Engineer, and the Secretary of the Commission.

There is considerable direct influence being exerted by incumbents at all of these levels in a number of divisions, districts, and sub-divisions of the Department. This is causing loss of morale, and undermining the effectiveness of a good organization structure.

It is fundamental that each function or operation is to have a single person at its head. When several employees receive direct orders or information from more than one supervisor, it will have an inevitable effect of using one "supervisor" against another and create confusion, uncertainty, and loss of valuable time.

This problem warranted early examination and action as the key to any other improvement recommendation that may be made.

The following basic areas of Commission-Department responsibilities were developed, discussed, and presented to the Commission.



The proposed functions of the Commission  
are:

1. Defining - with the assistance of Management - the Basic Policies of the Department so as to give purpose and direction to the work to be accomplished.
2. Maintaining economic stability of the Department by effectively balancing appropriations and expenditures.
3. Delegating responsibilities and authority to the State Highway Engineer for the proper conduct of the Department.
4. Reviewing and evaluating reports from Management and taking appropriate action on recommendations.
5. Reporting to the citizens of the State of Montana on the status and progress of Department projects.
6. Representing the Department in legislative, political, and other situations in which Commission representation is most suitable.

The proposed functions of Management are:

1. Assisting the Commission in the determination of the basic policies so that Management can provide their interpretation and direct their application.





2. Establishing a system of Management Plans and Controls so as to insure the adequacy and simplicity of organization and operations. This is to result in effectiveness and efficiency of all Department efforts which lead to good highway facilities at the lowest possible costs.
3. Establishing a program of Financial Budgets and Controls so as to provide an authentic basis for Commission decisions on economic affairs.
4. Accepting broad powers covered by delegated responsibilities from the Commission and managing the affairs of the Department in accordance therewith.
5. Preparing material that goes to the Commission so that action is required only on important policy matters.
6. Periodically reporting conditions and plans to the Commission to keep it informed and to obtain approval to proceed on recommended projects.
7. Organizing the Department and obtaining Commission approval of the basic structure.
8. Managing the Department so as to insure the best utilization of manpower.



9. Directing the planning, construction and maintenance of assigned highways in the State in order to render maximum service to all highway users.
10. Maintaining a balance among the many interests - federal, state and local - so as to insure harmony to the greatest possible extent.

It is noted that there is no interference by the Governor in administrative matters of the Highway Department. His interest and cooperation in only the broad areas where his high office can effectively contribute, and likewise, his abstention from detailed areas, contributes greatly to the stability of the Department. This is in marked contrast to many states where undue interference causes many operational difficulties.

The above places the Commission in control of all policy matters and in areas where only the Commission can function. The Department Management (State Highway Engineer), if delegated the responsibility for results, must be delegated also the commensurate authority for defining the functions, hiring, directing, and firing of people. This must be an integral part of this responsibility. The best type of control is for the Commission to stipulate the results expected from Management and not interfere with the process or methods.



If the specified results and the Department Management are not satisfactory to the Commission, corrective action is necessary by that body to insure the Department adequate management personnel capable of carrying them out.

Acceptance and follow-through of this approach is basic to the success of any other areas of improvement actions.



## FOR

## RIGHT-OF-WAY DIVISION:

1. RIGHT-OF-WAY ENGINEER
2. ASSISTANT TO RIGHT-OF-WAY ENGINEER
3. RIGHT-OF-WAY ATTORNEY
4. REVIEWING APPRAISER
5. REVIEWING NEGOTIATOR
6. RIGHT-OF-WAY UTILITIES ENGINEER
7. LAND AGENT

## DISTRICT RIGHT-OF-WAY SECTION:

1. DISTRICT RIGHT-OF-WAY SUPERVISOR
2. RIGHT-OF-WAY AGENT
3. RIGHT-OF-WAY OFFICE COORDINATOR
4. ASSISTANT RIGHT-OF-WAY AGENT
5. RIGHT-OF-WAY DRAFTSMAN





POSITION DESCRIPTION FOR -

RIGHT-OF-WAY ENGINEER

Highway Department  
State of Montana  
Helena, Montana

I. BASIC FUNCTION

The coordinated acquisition of lands required in connection with highway work and the disposition of property not required.

II. RESPONSIBILITIES AND AUTHORITY

As directed by the State Highway Engineer, the Right-of-Way Engineer is responsible for, and has commensurate authority to accomplish, the fulfillment of the responsibilities set forth below. He may delegate to the members of his staff appropriate portions of his responsibilities together with proportionate authority for their fulfillment - and he may receive assistance from staff and line personnel - but he may not delegate or relinquish his over-all responsibility for results or any portion of his accountability.

The Right-of-Way Engineer will:

1. Provide functional direction of and coordination with District Engineers for the acquisition of right-of-way lands and property needed for highway work.
2. Prepare, in coordination with Districts, the basic over-all right-of-way program, including policies, procedures, acquisition schedules, basic methods, etc., and recommend approval to executive management.
3. Receive, review and transmit all right-of-way plans and information, descriptions, material sites, borrow requirements, etc., to the Districts concerned for acquisition.



4. Assure understanding, acceptance and adherence to approved policies, schedules and standardized methods of obtaining right-of-way throughout the State.
5. Supervise the checking, reviewing and approving of appraisals on right-of-way parcels from Districts.
6. Supervise the checking, reviewing and approving of negotiations on right-of-way parcels from the Districts.
7. Transmit, certify and review with Bureau of Public Roads all right-of-way acquisition costs, citations, adjustments, etc.
8. Coordinate with Bureau of Public Roads concerning approval or disapproval of appraisals, negotiations, policies, procedures, citations, costs, justification, participation, etc., on right-of-way matters.
9. Authorize the engagement, payment and scheduling of fee appraisers.
10. Certify to executive management and the Bureau of Public Roads when right-of-way has been acquired for each project.
11. Supervise the preparation of information and provide assistance and testimony, when required, for condemnations or other legal matters.
12. Provide liaison and coordination with other Divisions and Sections of the Department for



a properly coordinated over-all Departmental effort.

13. Develop a program and coordinate the renting, leasing, recording and accounting for receipts on excess property and handle arrangements for disposition according to existing law.
14. Provide advice and help to the Districts on problems concerning right-of-way to meet acquisition schedules, improve personnel competence and over-all production.
15. Recommend personnel actions on District right-of-way personnel.
16. Advise and assist in the development, scheduling and conducting an adequate training program for all right-of-way personnel.
17. Supervise the maintenance of proper records, fiscal controls, payments and administrative requirements of the Right-of-Way Division.

### III. RELATIONSHIPS

The Right-of-Way Engineer will observe and conduct the following relationships:

1. He is accountable to the State Highway Engineer for the fulfillment of his responsibilities, authority and relationships and for their proper interpretation.
2. He has direct supervision over:
  - a) Assistant to Right-of-Way Engineer
  - b) Right-of-Way Attorneys



- c) Reviewing Appraiser
  - d) Reviewing Negotiator
  - e) Right-of-Way Utilities Engineer
  - f) Land Agent
  - g) Clerk IV
  - h) Clerk-Typist
3. He receives and he also provides advice, assistance and support to staff engineers, District engineers and other personnel of the line and staff units of the Department in the interest of mutual helpfulness and understanding.
4. He is a member of or participates in the following committees:
- a) As may be assigned
5. He will conduct such relationships with the Government, municipalities, attorneys and general public as required.
6. Other relationships:
- a) He participates in community, association, organizational and other activities that invite and obtain public understanding and support of highway programs.
  - b) He participates in business and professional organizations, as agreed.
  - c) TOGETHER WITH OTHER MEMBERS OF THE OVER-ALL MANAGEMENT GROUP HE WILL BE ALERT TO SEE AND ACT ON SITUATIONS, CONDITIONS, PROBLEMS, OR





EMERGENCIES THAT AFFECT THE MONTANA  
HIGHWAY DEPARTMENT, AND TO BRING TO THE  
ATTENTION OF THE AUTHORITIES DIRECTLY  
CONCERNED THE NEED OR OPPORTUNITY FOR  
CORRECTIVE OR SUITABLE ACTION.



POSITION DESCRIPTION FOR -

ASSISTANT TO RIGHT-OF-WAY ENGINEER

Highway Department  
State of Montana  
Helena, Montana

I. BASIC FUNCTION

To assist the Right-of-Way Engineer in administration, research, training, etc., as directed.

II. RESPONSIBILITIES AND AUTHORITY

As directed by the Right-of-Way Engineer, the Assistant to the Right-of-Way Engineer is responsible for, and has commensurate authority to accomplish, the fulfillment, of the responsibilities set forth below. He will act and function primarily in a staff capacity as directed.

The Assistant to the Right-of-Way Engineer will perform the following:

1. Perform administrative assistance to the Right-of-Way Engineer as directed.
2. Conduct research, develop and prepare a standardized right-of-way appraisal manual for the Montana Department of Highways and assist in its understanding and acceptance.
3. Develop and prepare a complete Right-of-Way Division policy and procedures manual and associated operating guides.
4. Assist in developing and preparing an adequate training program for all right-of-way personnel including subject matter, training schedules, containing checks on progress and production results.



5. Review general Right-of-Way Division administrative practices, and prepare recommendations for revisions and modifications to expedite the process and increase the production of the right-of-way acquisition.
6. Perform liaison with other Divisions and Districts concerning programs, changes, schedules, plans and related problems as directed.

### III. RELATIONSHIPS

The Assistant to the Right-of-Way Engineer will observe and conduct the following relationships:

1. He is accountable to the Right-of-Way Engineer for the fulfillment of his responsibilities, authority and relationships and for their proper interpretation.
2. He will conduct work supervision over:
  - a) Stenographic or clerical personnel who are working on his materials or projects.
  - b) Technical personnel who may be assigned.
3. He will conduct such relationships with Divisions or Sections and the general public as required.
4. Other relationships:
  - a) He participates in community, association, organizational and other activities that invite and obtain public understanding and support of



highway programs.

b) He participates in Business and professional organizations, as agreed.

c) TOGETHER WITH OTHER MEMBERS OF THE OVER-ALL MANAGEMENT GROUP HE WILL BE ALERT TO SEE AND ACT ON SITUATIONS, CONDITIONS, PROBLEMS, OR EMERGENCIES THAT AFFECT THE MONTANA HIGHWAY DEPARTMENT, AND TO BRING TO THE ATTENTION OF THE AUTHORITIES DIRECTLY CONCERNED THE NEED OR OPPORTUNITY FOR CORRECTIVE OR SUITABLE ACTION.





## POSITION DESCRIPTION FOR -

### RIGHT-OF-WAY ATTORNEY

Highway Department  
State of Montana  
Helena, Montana

#### I. BASIC FUNCTION

Conduct hearings, trials, appeals, etc., on Right-of-Way acquisition matters and render legal advice and assistance to Department personnel as necessary.

#### II. RESPONSIBILITIES AND AUTHORITY

As directed by the Right-of-Way Engineer administratively and the Commission Attorney functionally, the Right-of-Way Attorney is responsible for and has commensurate authority, for the fulfillment of the responsibilities set forth below. He will function primarily in a staff capacity, furnishing the requirements of his profession, as needed.

The Right-of-Way Attorney will perform the following:

1. Conduct research and compile or coordinate compilation of all data necessary for the adequate legal proceedings on right-of-way matters when such actions become necessary.
2. File and conduct prosecution of condemnation actions for rights-of-way where applicable.
3. Furnish advice and assistance on real property problems, necessary actions to gain sufficient title, validity of titles and related special proceedings for acquisition of right-of-way.



4. Prepare contracts, agreements, leases, grants of possession, deeds, releases and other legal documents required for acquisition, utilization and disposal of lands or property for highway use.
5. Defend and conduct legal actions in connection with the utilization of lands and property under the jurisdiction of the Highway Department.
6. Assist in conducting legal proceedings concerning acquisition and utilization negotiations with landowners' legal counsel.
7. Review and provide advice on the sufficiency of construction contracts as required.
8. Provide legal advice and assistance to Divisions, sections and sub-units of the Department, as necessary.
9. Assist in negotiations on legal matters with municipalities, irrigation districts, school districts and city, county and Federal government agencies concerning land and property required for highway use.

### III. RELATIONSHIPS

1. He is accountable to the Right-of-Way Engineer for the fulfillment of his responsibilities, authority and relationships, and for their proper interpretation.



2. He is functionally accountable to the Commission Attorney regarding legal opinions and conduct of legal affairs.
3. He has direct supervision over:  
One Secretary
4. He will conduct such relationships with government agencies, municipalities, the legal profession, Department employees and the general public, as required.
5. Other relationships:
  - a) He participates in community, association, organizational and other activities that invite and obtain public understanding and support of highway programs.
  - b) He participates in business and professional organizations, as agreed.
  - c) TOGETHER WITH OTHER MEMBERS OF THE OVER-ALL MANAGEMENT GROUP HE WILL BE ALERT TO SEE AND ACT ON SITUATIONS, CONDITIONS, PROBLEMS, OR EMERGENCIES THAT AFFECT THE MONTANA HIGHWAY DEPARTMENT, AND TO BRING TO THE ATTENTION OF THE AUTHORITIES DIRECTLY CONCERNED THE NEED OR OPPORTUNITY FOR CORRECTIVE OR SUITABLE ACTION.



POSITION DESCRIPTION FOR -

REVIEWING APPRAISER

Highway Department  
State of Montana  
Helena, Montana

I. BASIC FUNCTION

The review and approval of all field appraisals, coordination with the Bureau of Public Roads and functional assistance to the Districts concerning lands required for highway work.

II. RESPONSIBILITIES AND AUTHORITY

As directed by the Right-of-Way Engineer, the Reviewing Appraiser is responsible for, and has commensurate authority to accomplish, the fulfillment of the responsibilities set forth below. He may delegate to members of his staff appropriate portions of his responsibilities, together with proportionate authority for their fulfillment - but he may not delegate or relinquish his over-all responsibility for results or any portion of his accountability.

The Reviewing Appraiser will supervise or perform the following:

1. Prepare required forms and process information and review with the Right-of-Way Engineer for securing approval of the Bureau of Public Roads on projects to be appraised.
2. Receive, review and approve all field appraisals for estimates of the amount of just compensation due each property owner because of taking or damage to property for highway purposes.
3. Assure that field appraisals for required property represent the price that a willing





and informed buyer will pay a willing and informed seller when neither are under duress.

4. Assure, prior to approval, that the appraisals reflect all available considerations in determining a fair and equitable market value. These may be based on the following:
  - a) Market value.
  - b) Replacement cost less depreciation income.
  - c) Historic cost new less depreciation.
5. Assist in developing and coordinating appraisal techniques for field use covering standard appraisal manuals, process forms, basic schedules control, appraisal adjustments, etc.
6. On basis of collective information available, adjust or recommend reappraisals as necessary to reach an equitable settlement.
7. Coordinate closely with the Reviewing Negotiator for problems concerning negotiations and appraising.
8. Prepare for and testify as expert witness for the Department as necessary.
9. Maintain knowledge of Bureau of Public Roads policy statements and coordinate closely with



Districts concerned regarding appraisal adjustments, citations, transmittal of information, appraisals by Bureau, justifications, participating costs, etc.

10. Prepare and recommend right-of-way appraisal of projects, their schedules and related controls.
11. Perform liaison with other Divisions, Sections or offices for information such as plans, surveys, property descriptions, etc., and accompany highway location parties when necessary.
12. Conduct field visits and perform activity as necessary to check on level of performance, probable citations, justifications, training assistance and improvement actions, always with full knowledge of the District involved.
13. Maintain knowledge of real estate and building costs and trends.
14. Furnish information and coordinate with Districts covering comparable information for estimates on right-of-way costs for quality appraisals.
15. Maintain records of all appraisals made by the Department.
16. Maintain list of contract appraisers and recommend their use as necessary.



17. Understand and support the ultimate responsibility of the District in performing the actual acquisition process. But be prepared at all times, to assist, advise and coordinate with the Districts on problems concerning the appraisal function.

### III. RELATIONSHIPS

The Reviewing Appraiser will observe and conduct the following relationships:

1. He is accountable to the Right-of-Way Engineer for the fulfillment of his responsibilities, authority and relationships, and for their proper interpretation.
2. He has direct supervision over:
  - a) Reviewers (Appraising)
3. He receives and he also provides advice, assistance and support from and to line and staff personnel in the interest of mutual helpfulness and understanding.
4. He will conduct such relationships with Government, attorneys and other Department personnel as required, and the general public.
5. Other relationships:
  - a) He participates in community, association, organizational and other activities that invite and obtain public understanding and support of highway programs.



- b) He participates in business and professional organizations, as agreed.
- c) TOGETHER WITH OTHER MEMBERS OF THE OVER-ALL MANAGEMENT GROUP HE WILL BE ALERT TO SEE AND ACT ON SITUATIONS, CONDITIONS, PROBLEMS, OR EMERGENCIES THAT AFFECT THE MONTANA HIGHWAY DEPARTMENT, AND TO BRING TO THE ATTENTION OF THE AUTHORITIES DIRECTLY CONCERNED THE NEED OR OPPORTUNITY FOR CORRECTIVE OR SUITABLE ACTION.





POSITION DESCRIPTION FOR -

REVIEWING NEGOTIATOR

Highway Department  
State of Montana  
Helena, Montana

I. BASIC FUNCTION

The review and approval of all field negotiations, coordination with the Bureau of Public Roads and functional assistance to the Districts concerning land required for highway work.

II. RESPONSIBILITIES AND AUTHORITY

As directed by the Right-of-Way Engineer, the Reviewing Negotiator is responsible for, and has commensurate authority to accomplish, the fulfillment of the responsibilities set forth below. He may delegate to members of his staff appropriate portions of his responsibilities together with proportionate authority for their fulfillment, but he may not delegate or relinquish his over-all responsibility for results or any portion of his accountability.

The Reviewing Negotiator will supervise or perform the following:

1. Screen or approve parcel(s) to be negotiated to be sure all pertinent data is available for transmittal to the District concerned, which will include the following:
  - a) Title reports.
  - b) Appraisal.
  - c) Factual data compiled by Appraisers and Reviewing Appraiser.
  - d) Pertinent market trend data and analysis of sales subsequent to the appraisal.
  - e) Right-of-way maps, plans, profiles, cross sections, important topography notes, property descriptions, etc.



- f) Approval of the Bureau of Public Roads.
2. Receive, review and approve all field negotiations based on approved appraisals.
  3. Coordinate with the Reviewing Appraiser regarding special problems in order to give District personnel every advantage in negotiation of right-of-way.
  4. On basis of collective information available, adjust or recommend re-negotiations as necessary to reach an equitable settlement, but making no contact with property owners except through District personnel involved.
  5. Review with and recommend parcels for condemnation proceedings to the Right-of-Way Engineer when all Department processes have been expended.
  6. Coordinate with Legal staff in preparing for condemnation proceedings or other matters requiring attorney services.
  7. Maintain knowledge of Bureau of Public Roads policy statements and coordinate closely with Department personnel regarding negotiations, adjustments, citations, transmittal of information, justifications, participating costs, etc.
  8. Maintain records of all negotiations and related information made by the Department.
  9. Prepare and recommend basic right-of-way negotiation schedules and related controls.
  10. Assist in developing and coordinating negotiating techniques for field use covering



combined experiences, total schedule control, negotiations adjustments, timing for offer, "horse trading", etc.

11. Perform liaison with other Divisions, Sections or offices for information, such as changes in design, property descriptions, justifications, etc.
12. Assist with field training and improvement actions as necessary in connection with the negotiation function.
13. Understand and support the ultimate responsibility of the District in performance of the acquisition process, but be prepared to assist, advise and coordinate with the Districts on problems concerning the negotiating function.

### III. RELATIONSHIPS

The Reviewing Negotiator will observe and conduct the following relationships:

1. He is accountable to the Right-of-Way Engineer for the fulfillment of his responsibilities, authority, and relationships and for their proper interpretation.
2. He has direct supervision over:
  - a) Reviewers (Negotiating)
3. He receives and he also provides advice, assistance and support from and to line and staff personnel in the interest of mutual helpfulness and understanding.



4. He will conduct such relationships with Government, attorneys, the general public and other Department personnel as required.
5. Other relationships:
  - a) He participates in community, association, organizational and other activities that invite and obtain public understanding and support of highway programs.
  - b) He participates in business and professional organizations, as agreed.
  - c) TOGETHER WITH OTHER MEMBERS OF THE OVER-ALL MANAGEMENT GROUP HE WILL BE ALERT TO SEE AND ACT ON SITUATIONS, CONDITIONS, PROBLEMS, OR EMERGENCIES THAT AFFECT THE MONTANA HIGHWAY DEPARTMENT, AND TO BRING TO THE ATTENTION OF THE AUTHORITIES DIRECTLY CONCERNED THE NEED OR OPPORTUNITY FOR CORRECTIVE OR SUITABLE ACTION.





POSITION DESCRIPTION FOR -

LAND AGENT

Highway Department  
State of Montana  
Helena, Montana

I. BASIC FUNCTION

Flow of right-of-way administrative "paper work", operation and maintenance of documents and records, and preparation of varied statistics and reports.

II. RESPONSIBILITIES AND AUTHORITY

As directed by the Right-of-Way Engineer, the Land Agent is responsible for, and has commensurate authority to accomplish, the fulfillment of the responsibilities set forth below. He may delegate to members of his staff appropriate portions of his responsibilities together with authority for their fulfillment, but he may not delegate or relinquish his over-all responsibility for results or any portion of his accountability.

The Land Agent will supervise or perform the following:

1. Receive, record and maintain records and controls to present a current picture of right-of-way acquisitions, parcel by parcel, on all projects.
2. Prepare required documents and follow through to acquire right-of-way and material sites on State-owned lands.
3. Handle preparation and controls for State warrants on approved payment of right-of-way claims.
4. Prepare and distribute certificates of right-of-way acquisition to the Bureau of Public Roads and others involved.



5. Gather and prepare all information and documents for condemnation proceedings when such action becomes necessary.
6. Maintain records and files of all properties owned by the Department of Highways.
7. Maintain records and prepare varied right-of-way statistics, reports and financial information for the Districts and Department management as necessary.
8. Be responsible for the checking accuracy and completeness of all property descriptions, encumbrances, etc., of parcels to be acquired for Highway use.
9. Record and forward the required documents to the Attorney General, counties, etc., concerning right-of-way acquisition.  
(Through the Right-of-Way Engineer).
10. Be responsible for recommending policies and procedures concerning leasing, renting or disposing, insurance, etc., of excess property and for the related controls.
11. Gather and prepare information and maintain adequate records and controls and forward to the Right-of-Way Engineer, on fencing contracts where access frontage road fencing is an obligation of the State. Submit all information to Office Engineer, for bid letting.



12. Be responsible for administrative flow of paper work concerning right-of-way and take such actions necessary to simplify, improve and obtain understanding of the required process.
13. Supervise personnel actions of assigned employees, covering hire, training, compensation, transfer, termination, etc.

### III. RELATIONSHIPS

The Land Agent will observe and conduct the following relationships:

1. He is accountable to the Right-of-Way Engineer for the fulfillment of his responsibilities, authority, and relationships and for their proper interpretation.
2. He has direct supervision over:
  - a) Assistant Land Agent.
  - b) Property Description Reviewer.
3. He receives and he also provides advice, assistance and support from and to line and staff personnel in the interest of mutual helpfulness and understanding.
4. He will conduct such relationships with Government representatives, attorneys, and the general public, and other Departmental personnel as required.
5. Other relationships:
  - a) He participates in community, association, organizational and other activities that invite



and obtain public understanding and support of highway programs.

b) He participates in business and professional organizations, as agreed.

c) TOGETHER WITH OTHER MEMBERS OF THE OVER-ALL MANAGEMENT GROUP HE WILL BE ALERT TO SEE AND ACT ON SITUATIONS, CONDITIONS, PROBLEMS, OR EMERGENCIES THAT AFFECT THE MONTANA HIGHWAY DEPARTMENT, AND TO BRING TO THE ATTENTION OF THE AUTHORITIES DIRECTLY CONCERNED THE NEED OR OPPORTUNITY FOR CORRECTIVE OR SUITABLE ACTION.





POSITION DESCRIPTION FOR -

RIGHT-OF-WAY UTILITIES ENGINEER

Highway Department  
State of Montana  
Helena, Montana

I. BASIC FUNCTION

Liaison and coordinated acquisition of required lands from utilities - through Districts concerned.

II. RESPONSIBILITIES AND AUTHORITY

As directed by the Right-of-Way Engineer, the Right-of-Way Utilities Engineer is responsible for, and has commensurate authority to accomplish the fulfillment of the responsibilities set forth below. He may delegate to the members of his staff appropriate portions of his responsibilities, together with proportionate authority for their fulfillment, but he may not delegate or relinquish his over-all responsibility for results or any portion of his accountability.

The Right-of-Way Utilities Engineer will supervise or perform the following:

1. Review proposed highway plans to determine the type of agreements and actions necessary for right-of-way acquisition or relocation of utilities.
2. Prepare or coordinate preparation of special plans, maps, cross-section profiles, cost data, agreements, correspondence, etc., needed for dealings with utilities.
3. Review the proposed agreements submitted by Railroad companies with attorneys and related Department personnel.



4. Determine type of agreement necessary for acquisition of right-of-way or relocation of utilities to obtain Federal participation.
5. Request and coordinate with Districts on appraisals and their preparation on Utility right-of-way.
6. Conduct negotiations with utilities concerned to relocate and acquire the property necessary to highway work.
7. Inspect in the field the proposed work, as necessary to understand first-hand the problems as they concern right-of-way and utility location.
8. Understand and accept general construction schedules and programs and coordinate closely the utility right-of-way acquisition and relocation to conform with the approved program.
9. Review closely the estimates of work to be done by utilities at State expense to assure Federal participation.
10. Maintain contact with all utilities in the State for acceptable business relations.
11. Understand the administrative and legal process involved in right-of-way acquisition and utility relocation and conform to the approved process with the Utility phase.



12. Maintain and coordinate with Engineering Districts and related Department personnel regarding planning, design, etc., as it concerns utilities.
13. Supervise the activities of Right-of-Way Utilities Coordinator.

### III. RELATIONSHIPS

The Right-of-Way Utilities Engineer will observe and conduct the following relationships:

1. He is accountable to the Right-of-Way Engineer for the fulfillment of his responsibilities, authority and relationships and for their proper interpretation.
2. He has direct supervision over
  - a) Right-of-Way Utility Coordinator (2)
  - b) Stenographer
3. He receives and he also provides advice, assistance and support from and to line and staff personnel in the interest of helpfulness and understanding.
4. He will conduct such relationships with utilities, attorneys, Government and the general public as required.
5. Other relationships:
  - a) He participates in community, association, organizational and other activities that invite and obtain public understanding and support of highway programs.



- b) He participates in business and professional organizations, as agreed.
- c) TOGETHER WITH OTHER MEMBERS OF THE OVER-ALL MANAGEMENT GROUP HE WILL BE ALERT TO SEE AND ACT ON SITUATIONS, CONDITIONS, PROBLEMS, OR EMERGENCIES THAT AFFECT THE MONTANA HIGHWAY DEPARTMENT, AND TO BRING TO THE ATTENTION OF THE AUTHORITIES DIRECTLY CONCERNED THE NEED OR OPPORTUNITY FOR CORRECTIVE OR SUITABLE ACTION.





## POSITION DESCRIPTION FOR -

### DISTRICT RIGHT-OF-WAY SUPERVISOR

Highway Department  
State of Montana  
Helena, Montana

#### I. BASIC FUNCTION

The acquisition of lands and property required for highway work in his assigned District.

#### II. RESPONSIBILITIES AND AUTHORITY

As directed by the District Engineer, the District Right-of-Way Supervisor is responsible for and has commensurate authority to accomplish, the fulfillment of the responsibilities set forth below. He may delegate to members of his staff appropriate portions of his responsibilities, together with proportionate authority for their fulfillment. But, he may not delegate or relinquish his over-all responsibility for results or any portion of his accountability.

The District Right-of-Way Supervisor will supervise or perform the following:

1. Supervise the over-all acquisition of lands required for highway work in the assigned District.
2. Discuss right-of-way problems, schedules, methods, etc., with the District Engineer and understand scope of right-of-way acquisition in the over-all program.
3. Review right-of-way maps, construction plans and cross-sections with the District Engineer to determine priority, coordination of planning and support for right-of-way acquisition and field work.
4. Assign work to Right-of-Way agents and Assistant Right-of-Way agents to gain maximum



production but keeping in mind the value of on-the-job training and experience requirement for employees' improvement, making sure that they have at their disposal all information available.

5. Conduct appraisals and/or negotiations where applicable for training purposes or to improve personal competence, or in other special situations.
6. Prepare estimated Right-of-Way costs for programming purposes.
7. Prepare compilation of all available information including final appraisal for forwarding to Helena necessary for condemnation proceedings when this action becomes necessary.
8. Review and check all work performed by personnel assigned and be assured of correctness and completeness before transmittal.
9. Be responsible for sale and/or lease of surplus property and the administrative process connected therewith in the assigned District.
10. Understand and support the general right-of-way process, programs, and the procedures involved, making recommendations for improvement when necessary.



11. Perform the necessary liaison with Helena Headquarters Right-of-Way Division personnel for specialty details and routine business, with understanding and acceptance of ultimate responsibility of District Right-of-Way by the District Engineer.
12. Devise and improvise additional methods and procedures concerning District Right-of-Way operations, for use locally to augment, not conflict with general approved process.
13. Prepare routine or special reports and summarize as necessary to reflect progress and status of current projects and production.
14. Assist and advise the District Engineer on Right-of-Way problems and preparation of plans, involving frontage roads, structures, approaches, irrigation facilities, fencing, etc.
15. Maintain adequate and properly organized office, records, files, minor drafting and preparation of property descriptions.
16. Accompany highway location and engineering parties and advise as to proper specific locations when assigned.
17. Maintain knowledge of current building and real estate costs in the assigned District.
18. Prepare and testify on condemnation cases in his District when necessary.



19. Be responsible for and supervise personnel actions of assigned personnel covering hiring, compensation, safety, termination, etc., reviewing closely with the District Engineer.

### III. RELATIONSHIPS

The District Right-of-Way Supervisor will observe and conduct the following relationships:

1. He is accountable to the District Engineer for the fulfillment of his responsibility, authority and relationships and for their proper interpretation.
2. He has direct supervision over:
  - a) Right-of-Way Agents
  - b) Assistant Right-of-Way Agents
  - c) Right-of-Way Office Coordinator
  - d) Right-of-Way Draftsmen
  - e) Stenographer
3. He receives and he also provides advice, assistance and support from and to line and staff personnel in the interest of mutual helpfulness and understanding.
4. He will conduct such relationships with Government agencies, municipal and industry representatives, attorneys, the general public and employees of the Department as required.
5. Other Relationships:
  - a) He participates in community, association,





organizational and other activities that invite and obtain public understanding and support of highway programs.

b) He participates in business and professional organizations, as agreed.

c) TOGETHER WITH OTHER MEMBERS OF THE OVER-ALL MANAGEMENT GROUP HE WILL BE ALERT TO SEE AND ACT ON SITUATIONS, CONDITIONS, PROBLEMS, OR EMERGENCIES THAT AFFECT THE MONTANA HIGHWAY DEPARTMENT, AND TO BRING TO THE ATTENTION OF THE AUTHORITIES DIRECTLY CONCERNED THE NEED OR OPPORTUNITY FOR CORRECTIVE OR SUITABLE ACTION.



POSITION DESCRIPTION FOR -

RIGHT-OF-WAY AGENT

Highway Department  
State of Montana  
Helena, Montana

I. BASIC FUNCTION

a) The development of appraisals which indicate the best possible estimate of the amount of compensation due each property owner because of taking or damage of lands required for highway purposes, and

b) The successful negotiation of property based on fair appraisal - either but only one of the above to be conducted on the same parcel.

II. RESPONSIBILITIES AND AUTHORITY

As directed by the District Right-of-Way Supervisor, the Right-of-Way Agent is responsible for and has commensurate authority to accomplish, the fulfillment of the responsibilities set forth below.

The Right-of-Way Agent will perform the following:

1. Prepare appraisals of approved right-of-way parcels on property required for highway use.
2. Evaluate each parcel by utilizing comparable sales, current market values, thorough investigation of the entire property and by discussion with the property owners.
3. Conduct research and investigation in courthouse and any other areas to determine ownerships, property encumbrances, histories, etc., and assist in the preparation of property descriptions, etc., as necessary.



4. Be assured that during the appraisal process all data and the reports are considered confidential and discussion of values with the landowner is prohibited at this point of the process.
5. Conduct negotiations on parcels based on approved appraisals after discussing thoroughly with the Agent who made the appraisal, and after the following minimum information is available:
  - a) Title Report .
  - b) Appraisal and related factual information .
  - c) Market trends information and subsequent sales to appraisal .
  - d) Right-of-way maps, plans, profiles, cross-sections, construction features, etc.
6. Recommend actions on acquisition process, such as timing, proper approach, schedules, condemnation, methods of reporting target dates, right-of-way location, design, etc.
7. Understand and be responsible for completing or reporting all information concerning right-of-way acquisition on the administrative forms provided, and to include all additional information when applicable.



8. As Notary of the Highway Department prepare and notarize all documents necessary for consummating purchase of required property.
9. Be prepared and testify on condemnation proceedings when necessary.
10. Assist in the preparation of Right-of-Way estimates and "windshield appraisals."
11. Be responsible for equipment assigned, its proper use, care and records thereof.
12. Understand the field right-of-way process, their schedules, and over-all program and support them in daily activity and contacts.
13. Be cognizant of good human and public relations practices with landowners and others contacted and practice them at all times.
14. Assist in the training and field work of the Assistant Right-of-Way Agents who may be assigned.

### III. RELATIONSHIPS

The Right-of-Way Agent will observe and conduct the following relationships:

1. He is accountable to the District Right-of-Way Supervisor for the fulfillment of his responsibility, authority and relationships and for their proper interpretation.
2. He has functional supervision over:
  - a) Clerical or stenographic personnel who may be assigned to him or who are working on





his materials or projects.

b) Assistant Right-of-Way Agents who may be assigned.

3. He receives and he also provides advice, assistance and support from and to line and staff personnel in the interest of mutual helpfulness and understanding.

4. He will conduct such relationships with Government agencies, municipal and industry representatives, attorneys, the general public and employees of the Department as required.

5. Other Relationships:

a) He participates in community, association, organizational and other activities that invite and obtain public understanding and support of highway programs.

b) He participates in business and professional organizations, as agreed.

c) TOGETHER WITH OTHER MEMBERS OF THE OVER-ALL MANAGEMENT GROUP HE WILL BE ALERT TO SEE AND ACT ON SITUATIONS, CONDITIONS, PROBLEMS, OR EMERGENCIES THAT AFFECT THE MONTANA HIGHWAY DEPARTMENT, AND TO BRING TO THE ATTENTION OF THE AUTHORITIES DIRECTLY CONCERNED THE NEED OR OPPORTUNITY FOR CORRECTIVE OR SUITABLE ACTION.



POSITION DESCRIPTION FOR -

RIGHT-OF-WAY OFFICE COORDINATOR

Highway Department  
State of Montana  
Helena, Montana

I. BASIC FUNCTION

Assist in smooth operation and coordination of the District Right-of-Way office.

II. RESPONSIBILITIES AND AUTHORITY

As directed by the District Right-of-Way Supervisor, the Right-of-Way Office Coordinator is responsible for and has commensurate authority to accomplish, the fulfillment of the responsibilities set forth below.

The Right-of-Way Office Coordinator will perform the following:

1. Gather pertinent information and prepare parcels for beginning of negotiations.
2. Check appraisals, 5-year property histories and comparable sales for correctness and completeness.
3. Maintain log-book for parcels and projects and their current status.
4. Prepare Progress Reports, summaries and related information for transmittal to Helena.
5. Prepare and compile correspondence, expense records, mileage reports, equipment records, and perform other office duties as may be assigned.



6. Handle records, files and current status of rental and sale of surplus property within, as assigned.
7. Receive and interview office visitors, in the absence of the Supervisor, who wish to discuss Right-of-Way problems, gathering all pertinent information for referral to the Supervisor.
8. Assist in the preparation and checking of property descriptions when assigned.
9. Maintain office records, files, forms, office supplies and equipment required in the District Right-of-Way office.
10. Assist in performing general office assignments which will relieve the District Right-of-Way Supervisor of minor administrative duties and which will provide a well organized, smooth and integrated right-of-way office operation.

### III. RELATIONSHIPS

The Right-of-Way Office Coordinator will observe and conduct the following relationships:

1. He is accountable to the District Right-of-Way Supervisor for the fulfillment of his responsibilities, authority and relationships and for their proper interpretation.
2. He has functional supervision over:
  - a) Clerical or stenographic personnel who may be assigned to him or who are working on his materials or projects.



3. He receives and he also provides advice, assistance and support from and to line and staff personnel in the interest of mutual helpfulness and understanding.
4. He will conduct such relationships with the general public and department personnel as required.
  - a) He participates in community, association, organizational and other activities that invite and obtain public understanding and support of highway programs.
  - b) He participates in business and professional organizations, as agreed.
  - c) TOGETHER WITH OTHER MEMBERS OF THE OVER-ALL MANAGEMENT GROUP HE WILL BE ALERT TO SEE AND ACT ON SITUATIONS, CONDITIONS, PROBLEMS, OR EMERGENCIES THAT AFFECT THE MONTANA HIGHWAY DEPARTMENT, AND TO BRING TO THE ATTENTION OF THE AUTHORITIES DIRECTLY CONCERNED THE NEED OR OPPORTUNITY FOR CORRECTIVE OR SUITABLE ACTION.





POSITION DESCRIPTION FOR -

RIGHT-OF-WAY DRAFTSMAN

Highway Department  
State of Montana  
Helena, Montana

I. BASIC FUNCTION

The research for and preparation of accurately developed legal descriptions of Right-of-Way parcels required for highway work.

II. RESPONSIBILITIES AND AUTHORITY

As directed by the District Right-of-Way Supervisor, the Right-of-Way Draftsman is responsible for and has commensurate authority to accomplish, the fulfillment of the responsibilities set forth below.

The Right-of-Way Draftsman will perform the following:

1. Prepare special drawings, land ties, material sites and make routine computations on coordinates, etc., on right-of-way maps to assist and coordinate the acquisition process in the assigned District.
2. Conduct courthouse research in the assigned District for property ownerships, legal descriptions, titles and related information pertinent to the appraisal or acquisition process.
3. Put ownerships on right-of-way maps and tracings and assign parcel numbers.
4. Prepare and check legal descriptions on property required for highway use.



5. Maintain current right-of-way maps to indicate each phase of the Right-of-Way process.
6. Prepare routine correspondence special forms for supplementary information, title insurance, certification of titles, etc.
7. Understand the importance of keeping the Right-of-Way Agents supplied with information on a basis which fits into the over-all Right-of-Way schedule and program.
8. Understand the ultimate responsibility of the District for all property research and description preparation, and assure, completeness and accuracy of work produced.
9. Assist the Right-of-Way Office Coordinator in checking work and maintaining a smooth, efficient operating office.

### III. RELATIONSHIPS

The Right-of-Way Draftsman will observe and conduct the following relationships:

1. He is accountable to the District Right-of-Way Supervisor for the fulfillment of his responsibilities, authority and relationships and for their proper interpretation.
2. He may exercise functional supervision over:
  - a) Clerical or stenographic personnel who may be assigned to him or who are working



on his materials or projects.

3. He receives and he also provides advice, assistance and support from and to line and staff personnel in the interest of helpfulness and understanding.
4. He will conduct such relationships with utilities, attorneys, Government and the general public as required.
5. Other relationships:
  - a) He participates in community, association, organizational and other activities that invite and obtain public understanding and support of highway programs.
  - b) He participates in business and professional organizations, as agreed.
  - c) TOGETHER WITH OTHER MEMBERS OF THE OVER-ALL MANAGEMENT GROUP HE WILL BE ALERT TO SEE AND ACT ON SITUATIONS, CONDITIONS, PROBLEMS, OR EMERGENCIES THAT AFFECT THE MONTANA HIGHWAY DEPARTMENT, AND TO BRING TO THE ATTENTION OF THE AUTHORITIES DIRECTLY CONCERNED THE NEED OR OPPORTUNITY FOR CORRECTIVE OR SUITABLE ACTION.



POSITION DESCRIPTION FOR -

ASSISTANT RIGHT-OF-WAY AGENT

Highway Department  
State of Montana  
Helena, Montana

I. BASIC FUNCTION

To learn the Right-of-Way operations of the Department of Highways in general and the Right-of-Way operations of the assigned District specifically.

II. RESPONSIBILITIES AND AUTHORITY

As directed by the District Right-of-Way Supervisor, the Assistant Right-of-Way Agent is responsible for and has commensurate authority to accomplish, the fulfillment of the responsibilities set forth below:

The Assistant Right-of-Way Agent will perform the following:

1. Become acquainted with all procedures, policies and training data available.
2. Attend training classes, meetings and conferences in order to become personally equipped for both appraising and negotiating.
3. Understand the Department's interest in preparing a Right-of-Way Agent capable of individual productive performance as quickly as possible, and extend the initiative necessary for success.
4. Make field visits with the District Right-of-Way Supervisor or Right-of-Way Agent while appraising or negotiating and assist with the process.
5. Develop personal method of planning and applying self to given projects to make the best





possible use of the time and expense.

6. Perform or assist in all related areas of the Right-of-Way process that may be assigned.
7. Be responsible for equipment assigned, its proper use, care and records thereof.

### III. RELATIONSHIPS

The Assistant Right-of-Way Agent will observe and conduct the following relationships:

1. He is accountable to the District Right-of-Way Supervisor for the fulfillment of his responsibilities, authority and relationships and for their proper interpretation.
2. He will conduct such relationships with the general public and Department personnel as required.

